



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,790	04/14/2004	Mitsuaki Nishie	50395-268

20277  
MCDERMOTT WILL & EMERY LLP  
600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096

CONFIRMATION NO. 4674

## FORMALITIES LETTER



\*OC000000013049642\*

Date Mailed: 06/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

09/22/2004 AAD0F01 00000019 500417 10823790

01 FC:1001 770.00 DA  
02 FC:1051 130.00 DA

---

*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No.: 50395-268

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
	:	
Mitsuaki NISHIE, et al.	:	Confirmation Number: 4674
	:	
Serial No.: 10/823,790	:	Group Art Unit: 2874
	:	
Filed: April 14, 2004	:	Examiner: Not yet assigned
	:	
For: AN OPTICAL MODULE, AN OPTICAL COMMUNICATION APPARATUS AND A OPTICAL TRANSCEIVER MODULE		

**RESPONSE TO NOTICE  
OF MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Application dated June 24, 2004, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Statutory Basic filing fee of \$770.00
3. Late Filing Fee Surcharge of \$130.00
4. Certified Copy of Japanese Priority Document
5. Information Disclosure Statement, PTO-1449 & 6 references
6. Petition for One-Month Extension of Time w/Fee (on separate transmittal)
7. Assignment and Recordation Fee of \$40.00 (on separate postcard)

10/823,790


Please charge Deposit Account No. 500417 in the amount of \$900.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the updated official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



Arthur J. Steiner

Registration No. 26,106

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
202.756.8000 AJS:ete  
Facsimile: 202.756.8087  
**Date: September 20, 2004**